

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:18-cv-00032-MR-DLH**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
SETH N. LACKEY,)	
)	
Defendant.)	
<hr style="width:45%; margin-left:0"/>)	

THIS MATTER is before the Court on the *pro se* Defendant's Notice of Bankruptcy Filing [Doc. 5].

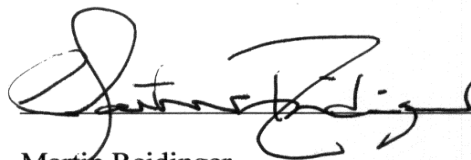
The Defendant has filed a notice with the Court that he has filed a bankruptcy case under Chapter 13 of the United States Bankruptcy Code. It is well-settled that "[w]hen litigation is pending against the debtor at the time a bankruptcy case is commenced, the litigation is stayed automatically." 3 Collier on Bankruptcy ¶ 362.03[3] (16th ed. 2011); see also 11 U.S.C. § 362(a)(1) (providing that a bankruptcy petition operates as an automatic stay of "the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor"). Accordingly, the Court will stay this action pending the Defendant's bankruptcy proceedings.

Accordingly, **IT IS, THEREFORE, ORDERED** that this action is hereby **STAYED** until further Order of the Court.

IT IS FURTHER ORDERED that the parties shall file a status report with the Court every ninety (90) days until such time as the bankruptcy matter is closed.

IT IS SO ORDERED.

Signed: June 1, 2018


Martin Reidinger
United States District Judge

